



claims asserted against Defendant CAPITAL MANAGEMENT SERVICES, LP in  
the above-captioned proceeding, pursuant to Fed. R. Civ. P. 41(a)(1)(ii).

DATED: 18<sup>th</sup> day of September, 2013

Respectfully submitted,

By: 

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By: /s/Kandy E. Messenger

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**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that on the 18<sup>th</sup> day of September 2013, a true and correct copy of the foregoing was served by regular mail via the United States Postal Service and email on the following:

Kandy E. Messenger  
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***Via Email: (messenger@sprottrigby.com)***

***Via Regular Mail***

  
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David E. Mack